



**U.S. Department of Justice**

*United States Attorney  
District of New Jersey*

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Newark, New Jersey 07102

973-645-2700

May 3, 2021

*Electronically Filed*

Honorable Leda D. Wettre  
United States Magistrate Judge  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

Re: *United States v. Two African Elephant (Loxodonta Africana)*  
*Ivory Tusks*  
Civil Action No. 20-14645 (CCC)

Dear Judge Wettre:

Please accept this submission in response to the April 20, 2021 order requesting that counsel file a joint letter regarding discovery in the above-captioned matter.

Civil forfeiture cases differ from non-forfeiture civil cases because Rule G(6)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions permits the government to serve special interrogatories “limited to the claimant’s identity and relationship to the defendant property without the court’s leave at any time after the claim is filed and before discovery is closed.” Depending on the claimant’s responses to the Rule G special interrogatories, the government may move to strike the claimant’s claim due to lack of standing.

The government served Rule G special interrogatories on claimant on April 23, 2021. Once the government reviews the claimant’s responses to the Rule G interrogatories, the government will either move to strike claimant’s claim for lack of standing or will proceed to discovery. Counsel for claimant does not object to this procedural approach as long as it remains without prejudice. Once the parties move to full discovery, the parties will submit an appropriate scheduling order to the Court. The parties will submit any status reports to the Court as ordered by the Court and will participate in any status

conferences ordered by the Court in connection with the above-captioned matter.

Respectfully yours,

RACHAEL A. HONIG  
Acting United States Attorney

*s/ Sarah Devlin*

By: SARAH DEVLIN  
Assistant U.S. Attorney

By: /s/Patrick Flanigan

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